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Wells Fargo Bank, N.A. and Wells Fargo & Company

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSHUA P. ENDRES and KENDAHL
BOOSTROM, as individuals, and on behalf of all
others similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY, et al.

Defendants.

Case No.: C-06-7019 PJH

Judge Assigned: Hon. Phyllis J. Hamilton
Complaint Filed: October 2, 2006

**STIPULATION AND ~~[PROPOSED]~~ ORDER
TO STAY CASE, PURSUANT TO FRCP,
RULE 23(f)**

WHEREAS, the Court issued its Order denying Plaintiffs' Motion for Class Certification on
February 6, 2008.

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1 WHEREAS, Plaintiffs Joshua P. Endres and Kendahl Boostrom timely filed a Petition for
2 Permission to Appeal the Order denying class certification with the United States Court of Appeals for
3 the Ninth Circuit on February 19, 2008, pursuant to Federal Rules of Civil Procedure, Rule 23(f).

4 WHEREAS, the pending Petition for Permission to Appeal, if granted, may substantially alter
5 the proceedings of this matter as Plaintiffs seek a review of the Court's Order on class certification, and
6 an order from this Court is necessary to stay this case in the district court until there is a decision on
7 Plaintiffs' Petition. (See Fed. R. Civ. P., Rule 23(f).)

8 IT IS HEREBY STIPULATED by and between the Parties that, subject to the Court's approval,
9 this action is stayed pending entry of a final order on Plaintiffs' Petition for Permission to Appeal by the
10 United States Court of Appeals for the Ninth Circuit.

11 IT IS FURTHER STIPULATED by and between the Parties that, subject to the Court's approval,
12 the case management conference scheduled for March 27, 2008 at 2:30pm and the deadline for the
13 parties to file a joint case management conference statement set for March 20, 2008 be vacated.

14 DATED: February 20, 2008

COVINGTON & BURLING LLP

15
16 By: 

17 Sonya D. Winner
18 Attorneys for Defendants

19 DATED: February 20, 2008

McCUNE & WRIGHT, LLP

20
21 By: 

22 Richard D. McCune
23 Attorneys for Plaintiffs

24
25 **IT IS SO ORDERED.**

26
27 DATED: February 22, 2008

28
Hon. Phyllis J. Hamilton

